

Message Text

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DRAFTED BY EUR/CAN:KKJONIETZ:L/EUR:KSGUDGEON:ED
APPROVED BY EUR/CAN:CJCLEMENT
INTERIOR;MR. FLIPSIE
SGS:MR. BETTENDORF
OES:HSPIELMAN
PA:JBLANE

-----121459Z 037429 /43

O 121426Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA IMMEDIATE

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E.O. 11652: N/A

TAGS: SENV, CA

SUBJECT: REVISED DRAFT POPLAR WATER QUALITY REFERENCE

1. EMBASSY IS REQUESTED TO DELIVER ASAP FOLLOWING REVISED
DRAFT VERSION OF THE REFERENCE TO THE IJC COVERING POPLAR
RIVER WATER QUALITY TO APPROPRIATE EXTAFF OFFICIAL (BRADY
OR MCDUGALL.)

2. BEGIN TEXT: DEAR MR. BULLARD:
I HAVE THE HONOR TO INFORM YOU THAT THE GOVERNMENTS OF
CANADA AND THE UNITED STATES OF AMERICA RECOGNIZE THAT THE
PROPOSED THERMAL POWER STATION, COAL MINING, AND ASSOCIATED
DEVELOPMENTS OF THE SASKATCHEWAN POWER CORPORATION NEAR
CORONACH IN THE PROVINCE OF SASKATCHEWAN HAVE A POTENTIAL
FOR CAUSING POLLUTION OF WATERS FLOWING ACROSS THE INTER-
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NATIONAL BOUNDARY INTO THE UNITED STATES, AND HAVE THERE-
FORE AGREED, PURSUANT TO ARTICLE IX OF THE BOUNDARY WATERS
TREATY OF 1909, AND IN LIGHT OF THE STUDIES CONDUCTED BY
THE COMMISSION AND THE POPLAR RIVER TASK FORCE OF THE
INTERNATIONAL SOURIS-RED RIVERS ENGINEERING BOARD, TO
REQUEST THE IJC TO EXAMINE INTO AND REPORT UPON THE WATER
QUALITY OF THE POPLAR RIVER AND THE TRANSBOUNDARY IMPLICA-

TIONS OF THE PROPOSED FACILITY, AND TO MAKE RECOMMENDATIONS WHICH WOULD ASSIST GOVERNMENTS IN ASSURING THAT THE PROVISIONS OF ARTICLE IV OF THE BOUNDARY WATERS TREATY ARE HONORED.

FOR THE INFORMATION OF THE COMMISSION, THE GOVERNMENTS NOTE THAT ON APRIL 29, 1975, THE SASKATCHEWAN POWER CORPORATION WAS ISSUED A LICENSE BY THE GOVERNMENT OF CANADA, UNDER CANADA'S INTERNATIONAL RIVER IMPROVEMENT ACT, TO CONSTRUCT, OPERATE, AND MAINTAIN A DAM ON EAST POPLAR RIVER IN SASKATCHEWAN TO CONTAIN WATER TO BE USED IN THE OPERATION OF A THERMAL ELECTRIC POWER PLANT. CONDITIONS OF THIS LICENSE INCLUDE:

A) COMPLIANCE WITH TERMS AND CONDITIONS RELATING TO WATER APPORTIONMENT AS MAY BE IMPOSED BY THE FEDERAL MINISTER OF ENVIRONMENT, FOLLOWING RECOMMENDATIONS BY THE IJC AND ACCEPTANCE THEREOF BY CANADA AND THE UNITED STATES OF AMERICA;

B) CONSTRUCTION, OPERATION AND MAINTENANCE OF THE IMPROVEMENT BY THE LICENSEE IN SUCH A MANNER AS SHALL NOT CONTRAVENE THE BOUNDARY WATERS TREATY OF 1909; AND

C) MONITORING, BY THE LICENSEE, OF WATER QUALITY AND WATER QUANTITY AND REPORTING TO SAID MINISTER AS AND WHEN REQUESTED.

IN ITS APPLICATION TO THE CANADIAN GOVERNMENT FOR THIS UNCLASSIFIED

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LICENSE, THE SASKATCHEWAN POWER CORPORATION COMMITTED ITSELF TO CARRYING OUT A WIDE RANGE OF WATER QUALITY STUDIES, SOME OF WHICH ARE PRESENTLY UNDER WAY. IN ADDITION, THE CANADIAN AND UNITED STATES GOVERNMENTS HAVE ESTABLISHED AN INTERNATIONAL WATER QUALITY MONITORING NETWORK IN THE POPLAR RIVER BASIN.

IN LIGHT OF THE ABOVE, THE GOVERNMENTS REQUEST THAT THE COMMISSION EXAMINE INTO AND REPORT UPON THE FOLLOWING MATTERS REGARDING THE POPLAR RIVER BASIN:

A) THE PRESENT STATE OF WATER QUALITY WITH PARTICULAR REFERENCE TO THE WATERS OF THE EAST POPLAR RIVER;

B) THE SOURCES AND NATURE OF EXISTING WATER QUALITY DEGRADATION, BOTH NATURAL AND MAN-MADE;

C) THE LOCATION AND NATURE OF EXISTING AND REASONABLY FORESEEABLE WATER USES;

D) THE NATURE AND LOCATION OF FISHERIES, AND OTHER ENVIRONMENTALLY SIGNIFICANT REACHES OF THE RIVER;

E) THE EFFECTS ON PRESENT WATER QUALITY, AND ON THE EXISTING USES AND FISHERIES IDENTIFIED IN PARAGRAPHS C & D ABOVE, WHICH WOULD RESULT FROM:

--- (1) CHANGES IN THE FLOW REGIME OF THE POPLAR RIVER IF APPORTIONMENT OF THE WATERS OF THE POPLAR RIVER IS MADE AS RECOMMENDED BY THE INTERNATIONAL SOURIS-RED RIVERS ENGINEERING BOARD'S POPLAR RIVER TASK FORCE IN ITS REPORT OF FEBRUARY 6, 1976, OR AS THE COMMISSION MAY OTHERWISE RECOMMEND,

--- (11) THE SASKATCHEWAN POWER CORPORATION'S PROPOSED THERMAL POWER STATION, INCLUDING ASSOCIATED COAL MINING AND UNCLASSIFIED

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STATION OPERATIONS,

--- (111) IMPLEMENTATION OF OTHER REASONABLY FORESEEABLE DEVELOPMENTS IDENTIFIED IN PARAGRAPH C ABOVE;

F) THE NATURE AND EXTENT OF THE IMPACTS ON THE POPLAR RIVER BASIN, ITS AQUATIC ECOSYSTEM, AND WATER USES, OF A DIVERSION OF WATERS INTO THE EAST POPLAR RIVER FOR THE PROPOSED SASKATCHEWAN POWER CORPORATION PROJECT, PARTICULARLY IF SUCH A DIVERSION WOULD INVOLVE AN INTERBASIN TRANSFER OF WATERS;

G) IMPACTS OF THE SASKATCHEWAN POWER CORPORATION'S PROPOSED THERMAL POWER STATION, COAL MINING, AND ASSOCIATED DEVELOPMENTS THAT WOULD SIGNIFICANTLY ALTER THE QUALITY OR WATER LEVEL IN THE SURROUNDING AQUIFERS; AND

H) SUCH OTHER MATTERS AS THE COMMISSION MAY DEEM RELEVANT AND APPROPRIATE.

IN THE CONDUCT OF ITS INVESTIGATION AND THE PREPARATION OF ITS REPORT, THE COMMISSION SHALL MAKE USE OF INFORMATION AND TECHNICAL DATA HERETOFORE AVAILABLE OR WHICH MAY BECOME AVAILABLE IN EITHER COUNTRY DURING THE COURSE OF ITS INVESTIGATION. IN ADDITION, THE COMMISSION SHALL SEEK THE ASSISTANCE, AS REQUIRED, OF SPECIALLY QUALIFIED PERSONNEL IN CANADA AND THE UNITED STATES. THE GOVERNMENTS SHALL MAKE AVAILABLE OR, AS NECESSARY, SEEK THE APPROPRIATION OF THE FUNDS REQUIRED TO PROVIDE THE COMMISSION PROMPTLY WITH THE RESOURCES NEEDED TO DISCHARGE THE OBLIGATIONS UNDER THIS REFERENCE FULLY WITHIN THE SPECIFIED TIME PERIOD. THE

COMMISSION SHALL DEVELOP AS EARLY AS PRACTICABLE COST PROJECTIONS FOR THE STUDIES UNDER REFERENCE FOR THE INFORMATION OF GOVERNMENTS.

THE GOVERNMENTS REQUEST THAT THE COMMISSION, UPON THE UNCLASSIFIED

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AVAILABILITY OF ADEQUATE FUNDING, PROCEED WITH THESE STUDIES AS EXPEDITIOUSLY AS PRACTICABLE AND REPORT TO GOVERNMENTS NO LATER THAN DECEMBER 1, 1978.

AN IDENTICAL LETTER IS BEING SENT TO THE CANADIAN SECTION OF THE COMMISSION BY THE DEPARTMENT OF EXTERNAL AFFAIRS. SINCERELY, RICHARD D. VINE. END TEXT.

3. EMBASSY IS REQUESTED TO INDICATE U.S. DESIRE TO MOVE FORWARD AS QUICKLY AS POSSIBLE WITH THIS REFERENCE AND U.S. WILLINGNESS TO MEET WITH GOC SHOULD THEY DESIRE. VANCE

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 12-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: KKJONIETZ:L/EUR:KSGUDGEON:ED
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770126-0817
Format: TEL
From: STATE
Handling Restrictions: n/a
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Subject: REVISED DRAFT POPLAR WATER QUALITY REFERENCE
TAGS: SENV, CA, US
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